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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/815,082	03/31/2004	Alexander L. Gaeta	SP03-046	7341
22928 CORNING INC	7590 05/23/200 CORPORATED	EXAMINER		
SP-TI-3-1	SZ 1 4001	DUPUIS, DEREK L		
CORNING, NY 14831			ART UNIT	PAPER NUMBER
			2883	•
· ·			MAIL DATE	DELIVERY MODE
			05/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action Before the Filing of an Appeal Brief  Advisory Action Before the Filing of an Appeal Brief  Art Unit Derek L. Dupuis  2883  —The MAILING DATE of this communication appears on the cover sheet with the correspondence address— THE REPLY FILED 15 May 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.  1. ☐ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (f) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 4.131; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filled within one of the following time periods:  3 ☐ The period for reply expires 3 months from the mailing date of the final rejection.  4 ☐ The period for reply expires 3 months from the mailing date of the final rejection.  5 ☐ The period for reply expires 3 months from the mailing date of the final rejection.  6 ☐ The period for reply expires 3 months from the mailing date of the final rejection.  7 ☐ The period for reply expires 3 months from the mailing date of the final rejection.  8 ☐ The period for reply expires 3 months from the mailing date of the final rejection.  8 ☐ The period for reply expires 3 months from the mailing date of the final rejection.  8 ☐ The period for reply expires 3 months from the mailing date of the final rejection.  9 ☐ The period for reply expires 3 months from the mailing date of the final rejection.  10 ☐ The period for reply expires 3 months from the mailing date of the final rejection.  11 ☐ The month of the final rejection of expires the thin the final office action. The period of the final rejection and the period of the final rejection and the final office action. The period of the final period of the final period of the final period of the final period of the fina				
## Advisory Action  Before the Filing of an Appeal Brief    Examiner	2.	Application No.	Applicant(s)	
Derek L Dupuis	Advisory Action	10/815,082	GAETA ET AL.	
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<ul> <li>1.</li></ul>	The MAILING DATE of this communication app	ears on the cover sheet with the c	correspondence add	ress
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2. ☐ The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).  AMENDMENTS 3. ☑ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because (a) ☑ They raise new issues that would require further consideration and/or search (see NOTE below); (b) ☐ They raise the issue of new matter (see NOTE below); (c) ☑ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.  NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)).  4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  5. ☐ Applicant's reply has overcome the following rejection(s):  6. ☐ Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  7. ☑ For purposes of appeal, the proposed amendment(s): a) ☑ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows:  Claim(s) objected to:  Claim(s) objected to:  Claim(s) original for a present additional defense and an explanation.  AFFIDAVIT OR OTHER EVIDENCE	Examiner Note: If box 1 is checked, check either box (a) or TWO MONTHS OF THE FINAL REJECTION. See MPEP Extensions of time may be obtained under 37 CFR 1.136(a). The date have been filed is the date for purposes of determining the period of e under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office late may reduce any earned patent term adjustment. See 37 CFR 1.704(b)	r (b). ONLY CHECK BOX (b) WHEN THE 706.07(f). e on which the petition under 37 CFR 1.1 extension and the corresponding amount e shortened statutory period for reply orig er than three months after the mailing da	FIRST REPLY WAS F 136(a) and the appropria of the fee. The appropri inally set in the final Offi	ILED WITHIN  te extension fee iate extension fee ce action: or (2) as
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<ul> <li>5. Applicant's reply has overcome the following rejection(s):</li> <li>6. Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).</li> <li>7. For purposes of appeal, the proposed amendment(s): a) will not be entered, or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: 1-10 and 12-27. Claim(s) withdrawn from consideration:</li> <li>AFFIDAVIT OR OTHER EVIDENCE</li> </ul>	<ul> <li>(a) ∑ They raise new issues that would require further or</li> <li>(b) ☐ They raise the issue of new matter (see NOTE below)</li> <li>(c) ∑ They are not deemed to place the application in beau appeal; and/or</li> <li>(d) ☐ They present additional claims without canceling a</li> </ul>	onsideration and/or search (see NO ow); etter form for appeal by materially re a corresponding number of finally rej	TE below);	
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8. The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).	8. The affidavit or other evidence filed after a final action, b because applicant failed to provide a showing of good ar	out before or on the date of filing a N nd sufficient reasons why the affiday	otice of Appeal will <u>no</u> vit or other evidence is	t be entered s necessary and
9. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).	entered because the affidavit or other evidence failed to showing a good and sufficient reasons why it is necessa	overcome <u>all</u> rejections under appeary and was not earlier presented. S	al and/or appellant fai ee 37 CFR 41.33(d)(1	ls to provide a l).
10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.  REQUEST FOR RECONSIDERATION/OTHER  11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because.	REQUEST FOR RECONSIDERATION/OTHER		•	

13. Other: \_\_\_\_.

12. Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s).

Continuation of 3. NOTE: The amendment to the claims includes new limitations that were not previously searched. The amendment would require further searching and consideration and is therefore not entered.

Supervisory Patent Examiner **Technology Center 2800**